

Eighth, the current Hatch-Leahy-Thurmond amendment to H.R. 3048 would limit the use of administrative subpoenas in fugitive investigations to those fugitives who have been accused or convicted of serious violent felony or serious drug offenses.

Finally, as introduced, S. 2516 authorized the U.S. Marshal Service to establish permanent Fugitive Apprehension Task Forces. By contrast, the substitute amendment to S. 2516, which previously passed the Senate, and the Hatch-Leahy-Thurmond amendment to H.R. 3048, which we consider today, would authorize \$40,000,000 over three years for the Attorney General to establish multi-agency task forces (which will be coordinated by the Director of the Marshals Service) in consultation with the Secretary of the Treasury and the States, so that the Secret Service, BATF, the FBI and the States are able to participate in the Task Forces to find their fugitives.

The Hatch-Leahy-Thurmond amendment to H.R. 3048 will help law enforcement—with increased resources for regional fugitive apprehension task forces and administrative subpoena authority—to bring to justice both federal and state fugitives who, by their conduct, have demonstrated a lack of respect for our nation's criminal justice system.

I urge that the Senate pass H.R. 3048 with the Hatch-Leahy-Thurmond amendment without delay.

Mr. LOTT. Mr. President, I ask unanimous consent that the amendment be agreed to, the bill, as amended, be read the third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 4319) was agreed to.

The bill (H.R. 3048), as amended, was read the third time and passed.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION AUTHORIZATION ACT OF 2000—CONFERENCE REPORT

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to the conference report to accompany H.R. 1654, which is the NASA authorization conference report.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 1654) to authorize appropriations for the National Aeronautics and Space Administration for fiscal years 2000, 2001, and 2002, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses this report, signed by all of the conferees.

The PRESIDING OFFICER. Without objection, the Senate will proceed to

the consideration of the conference report.)

(The conference report is printed in the House proceedings of the RECORD of September 12, 2000.)

Mr. HOLLINGS. Mr. President, I rise in support of H.R. 1654 which authorizes appropriations for the National Aeronautics and Space Administration for fiscal years 2000 to 2002.

We have taken a long road to reach this point. I particularly want to thank my fellow conferees, Senators MCCAIN, FRIST, STEVENS, and BREAUX. You and your staffs have worked in a professional, bipartisan manner to get this bill done. Congratulations.

In the past year alone, we have heard of great successes at NASA—launch of the first element of the International Space Station, discoveries about the nature of our universe by our new Chandra X-Ray Observatory, the discovery of evidence to show liquid water on Mars. However, NASA has also seen some chinks in its armor with the failure of the Mars Climate Orbiter and the Mars Polar Lander and subsequent questions about the “faster, better, cheaper” mission concept. I note that Section 301 of the bill requires an independent cost analysis of missions that are projected to cost more than \$150 million so that we do not operate under unrealistic budget constraints that have been blamed, in part, for these losses.

It seems that NASA is at a bit of a crossroads both in trying to operate more efficiently without losing its effectiveness and in looking forward to the day when the International Space Station will be complete. So you see, this is the perfect time for an authorization bill like this one to help lay down a road map for the agency.

Specifically, H.R. 1654 authorizes \$13.6 billion for NASA in FY 2000, \$14.2 billion in FY 2001, and \$14.6 billion in FY 2002. These are at or above the requested level. The conference report highlights some priorities within NASA's accounts. I want to make it very clear for the record, though—this is an authorization bill. None of this money in any of these accounts can be spent until appropriated. The VA-HUD appropriations law will have the final say on spending, and that is as it should be.

Senator MCCAIN and Senator BREAUX, I am sure, will summarize the major provisions of this legislation. I would like to discuss, briefly, why the conferees did what we did in a few places.

The bill imposes a cap on the total development cost of the International Space Station and related Space Shuttle launch costs. While I am no supporter of the International Space Station, I support the cap as a way of imposing a program that until recently was bleeding more and more red ink every day.

Nonetheless, I am concerned about the safety of the Shuttle, the Station, and our astronauts. As soon as NASA

expressed concerns about safety, we immediately listened to their concerns and accommodated them without putting a hole in the cap that you could fly the Shuttle through.

Section 324 of the bill alters the provisions of the Space Act relating to insurance, indemnification, and cross waivers for experimental launch vehicles. Current law provides broad authority for the Administrator of NASA to indemnify the developers of experimental launch vehicles. As you may know, the parallel authority under FAA's licensing authority for operational vehicles sunsets periodically. H.R. 1654 places a sunset on the authority for experimental vehicles to allow us to review its use. The bill also does not allow reciprocal waivers of liability in a case where a loss results from the willful misconduct of a party to such waiver.

I am pleased we could include section 322 which would prohibit the licensing of the U.S. launch of a payload containing advertising which would be visible to the naked eye from space. It also encourages the President to seek agreements with other nations to do the same. I, for one, do not believe that advertisements should compete for space in the sky with constellations, meteor showers, and planets.

The conferees have authorized \$25 million in FY 2001 and 2002 for the Commercial Remote Sensing Program's data purchases. I hope that such funding would be used to assist local and state government users acquire and use remote sensing data in their operations.

The conferees have worked with the Administration to resolve several complicated policy issues. We did not come to the exact place the Administration wanted us to be. Nonetheless, I think we have come to provisions which satisfy the Administration's bottom line. Does the Administration love the bill? Of course not—what agency likes oversight, likes an authorization bill, especially if that agency has been operating in the absence of authorization since FY 1993. Nonetheless, I think we have done a good job. This is a bill the President can and should sign.

We resolve the Administration's concerns regarding onerous provisions relating to Russian involvement in the Space Station program by making them country-neutral and forward-looking. The bill keeps the Space Station Commercial Demonstration Program in law, albeit for a shorter authorization period. H.R. 1654 will allow NASA to lease an inflatable habitation module or “Trans-HAB.” The bill does not terminate the Triana satellite program. And, as I mentioned before, the bill accounts for safety-related concerns about the cap provision.

Unfortunately, we could not include some meritorious provisions which were transmitted to the Hill with NASA's FY 2001 budget submission. I would be happy to work in the next Congress with NASA on a policy bill which meets these needs.

Finally, I thank the chairman of the Commerce Committee once again. When our negotiations with the House threatened to dissolve, he stood firm on the need for a bipartisan NASA bill this year. I speak for all of the conferees when I congratulate him for putting together this bill. While it is not perfect, I support H.R. 1654 and hope that the Senate will adopt the conference report.

Mr. BREAUX. Mr. President, I rise in support of the conference report on H.R. 1654, the NASA Authorization bill. First, I thank Chairman MCCAIN and the other Senate conferees. We have come to a bi-partisan agreement after many months of conference and now we have the opportunity to pass a NASA Authorization bill for the first time since fiscal year 1993.

As you know, NASA is one of the agencies of government that captures the spirit of the American people. Who can fail to be awed by the liftoff of a Space Shuttle, a walk in space, or the discovery of water on Mars? Because NASA is such a treasure, it is important that we in Congress exercise our duty to oversee and authorize its programs.

And that is just what this conference report does. H.R. 1654 would authorize funding for the National Aeronautics and Space Administration at the appropriated level of \$13.6 billion in FY 2000. It provides \$14.2 billion in FY 2001 and \$14.6 billion in FY 2002, slightly more than the President's requested level.

The bill fully funds the Space Shuttle program, the International Space Station, and the Space Launch Initiative. It provides authorizations above the requested levels for the Space Grant College program, the Experimental Program to Stimulate Competitive Research, EPSCoR, and NASA's research into aircraft noise reduction and cleaner, more energy-efficient aircraft engine technology—research that can improve the quality of life of Americans who live near airports.

When we were nearing the finish line with this bill, the Administration contacted us about several key concerns they had with the bill. We have resolved their concerns, and now I would like to run through these issues: our interaction with International Space Station partners, commercialization of the Space Station, Trans-Hab, Shuttle Safety, and Triana.

International partners and the space station: We successfully altered House-proposed language which was overly punitive. The provision contained in H.R. 1654 encourages NASA to provide for equitable use of the Space Station by seeking reduction in utilization rights (like crew allocation) for International Partners that willfully violate any of their commitments to the program.

Space station commercialization: The conferees agreed to leave in place the Space Station Commercial Development program and did not agree to

the House's proposal to eliminate the program. We did, however, shorten the period of time for which the program is authorized from 2004 to 2002. The program will be up for reauthorization at the same time that NASA itself is due for reauthorization.

Trans-hab: NASA has considered replacing the "hard" habitation module for the Space Station with an inflatable "Trans-Hab." The House had sought to prohibit NASA from using its funds to develop an inflatable habitation module. The conference agreement clarifies that NASA is permitted to lease or use a commercially-developed Trans-Hab. It is my understanding that NASA is currently evaluating a very serious commercial proposal for an inflatable space structure capable of accommodating humans in space, and this language should allow them to participate in such an agreement.

Shuttle safety: The Administration was concerned that the Senate-passed cost cap on the International Space Station and Shuttle flights to assemble the Station might send the wrong message about Shuttle and Station crew safety. That concern sent up a red flag to the conferees—no cost limitation proposed in this legislation should make NASA hesitate for one moment in launching the Shuttle if a life was at stake. No one wants to jeopardize the life and safety of the crew of the Space Station. We inserted language to ensure that the cap would not apply to costs incurred to ensure or enhance the safety or reliability of the Space Shuttle and another provision to allow the Administrator to use monies provided beyond the cap to improve safety or to launch a shuttle to protect the Station and its crew.

Triana: Finally, the House agreed to take out its provision to terminate the Triana program. Triana will be the world's first Earth-observing mission to L1, the gravitational mid-point between the sun and the Earth. From this vantage point, the satellite has a continuous view of the Sun-lit portion of the Earth. Over 90 percent of the instrument development has already taken place, and we've already spent about \$40 million.

NASA highlighted several legislative provisions which they feel would be beneficial, yet are not included in the bill. While I would not support all of those provisions, I am disappointed we could not include some of the provisions that represent their greatest needs in this Conference Report.

I would also like to highlight a few of H.R. 1654's other major provisions. The Conference Report imposes a \$25.0 billion cost cap for International Space Station development and a \$17.7 billion cost cap for Space Shuttle launch costs in connection with Station assembly. The cap would not apply to operations, research, or crew return activities after the Station is complete. An additional contingency fund of \$5 billion for Station development and \$3.5 billion

for Space Shuttle is authorized to provide flexibility in case of an emergency or other unusual circumstance.

As you know, I am a strong supporter of the International Space Station Program. The Space Shuttle *Discovery* is currently on the 100th Space Shuttle mission, putting cargo and other items in place so that the Station is ready to be occupied by its permanent crew next month.

The cap on Station development in the bill does not seek to alter or impede that program in any way. It merely seeks to limit the development costs so we stick to the plan and put a fully-operational Space Station on orbit in a timely manner.

The bill also directs NASA, after Congressional review of their plan, to establish a non-governmental organization (NGO) to manage Space Station research and commercial activities upon completion of the Station. I understand that some members are concerned about this provision. I will simply note: (1) NASA is already in the process of evaluating and establishing an NGO to manage station research; and (2) our bill allows Congress nearly 4 months to react to NASA's proposal before it can be implemented. If we don't like what they come back with, we can tell them not to do it.

H.R. 1654 represents the culmination of several years of hard work, and it is a good piece of legislation. I don't like every provision in the bill, but it represents a fine compromise—and one it looked like we might never reach. Again, I would like to thank Chairman MCCAIN and Senator FRIST for their hard work and to thank our staffs, in particular Floyd DesChamps, Elizabeth Prostic, and Jean Toal Eisen.

I urge the swift adoption of the conference report.

Mr. LOTT. Mr. President, I ask unanimous consent that the conference report be agreed to, the motion to reconsider be laid upon the table, and any statements relating to the report be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

CORRECTING THE ENROLLMENT OF H.R. 1654

Mr. LOTT. Mr. President, I ask unanimous consent that H. Con. Res. 409, a concurrent resolution, which corrects the enrollment of H.R. 1654 be agreed to and the motion to reconsider with laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 409) was agreed to.

FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM AMENDMENT

Mr. LOTT. Mr. President, I ask unanimous consent that the Governmental Affairs Committee be discharged from further consideration of H.R. 2842, and